

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 10, 2002

DIVISION ONE

B147402 Commerce Funding Corporation (Not for Publication)
 v.
 California Factors & Finance, Inc. et al.

The order awarding costs is affirmed. Respondents are awarded costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B154464 People (Not for Publication)
 v.
 Dale

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Mallano, J.

DIVISION TWO

[illegible]

The judgment is reversed and the matter remanded to the trial court for issuance of a permanent injunction and other proceedings consistent with the opinions expressed herein. Respondent is ordered to bear appellant's costs of appeal.

Doi Todd, J.

We concur: Nott, Acting P.J.
 Ashmann-Gerst, J.

B152027 People (Not for Publication)
v.
Balsz

The judgment is modified to strike one 5-year prior serious felony conviction enhancement under section 667, subdivision (a)(1). The superior court is directed to correct the minute order of sentencing on July 25, 2001, to reflect that a one-year enhancement under section 12022, subdivision (b)(1) was imposed on count 2, robbery, and that a one-year enhancement under section 12022, subdivision (b)(1) was imposed and stayed on count 1, attempted carjacking. The superior court is further directed to correct the abstract of judgment to indicate that one 5-year enhancement under section 667, subdivision (a)(1) is stricken and to reflect that the sentence and the one-year section 12022, subdivision (b)(1) enhancement on count 1, attempted carjacking, are stayed pursuant to section 654 and that the 25-year-to-life sentence, the one-year section 12022, subdivision (b)(1) enhancement, and two 5-year section 667, subdivision (a)(1) enhancements are imposed and not stayed on count 2, robbery. In all other respects, the judgment is affirmed.

Doi Todd, J.

We concur: Nott, Acting P.J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B137472 Accinelli (Not for Publication)
v.
New Times Inc.

The judgments in favor of respondents are affirmed. Appellant is ordered to bear respondents' costs of appeal.

Doi Todd, J.

We concur: Nott, Acting P.J.
 Ashmann-Gerst, J.

DIVISION THREE

B148544 People (Not for Publication)
v.
Palacios. et al.

The \$200 parole revocation fine imposed on defendant Palacios under section 1202.45 is hereby stricken. As modified, his judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this modification and forward it to the Department of Corrections. The judgment as to defendant Lopez is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B138645 Silk Alderette (Not for Publication)
v.
Paul, Hastings, Janofsky & Walker, et al.

The judgment is affirmed. Costs on appeal are awarded to respondents Nancy L. Abell, Deborah S. Weiser, and Paul, Hastings, Janofsky & Walker.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (Continued)

B156495 Judith P. (Not for Publication)

V.

Superior Court, Los Angeles County

(Department of Children and Family Services, Los Angeles County, r.p.i.)

Mother's petition for extraordinary relief is granted. Let a peremptory writ of mandamus issue directing the trial court to vacate its order of February 13, 2002, terminating family reunification services and setting the matter for a section 366.26 hearing. Upon remand, the juvenile court shall conduct a contested section 366.21 hearing, and, based on that hearing, re-determine whether family reunification services should be ended or not.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B132150 Migliore

V.

Mid-Century Insurance Company

Filed order certifying opinion for publication.

B147853 Southwest Hospital (Not for Publication)
Development Group, Inc.

V.

California Department of Health Services

The order is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

April 10, 2002-Continued

DIVISION FOUR (Continued)

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FIVE

Court convened at 11:00 A.M.

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B153032 People v. Timothy Padilla
B149951 In re Paul F.; DCFS v. Susan J.
B152342 In re Paul F.; DCFS v. Susan J.

Argument waived, cause submitted.

B150471 People
v.
Aron Donn

Merits:
Argued by James M. Crawford for appellant and by Ronald A. Jakob, deputy district attorney, for respondent. Cause submitted.

DIVISION FIVE (Continued)

B156011 The People
 v.
 Superior Court, Los Angeles County
 (Michael Earl Turner, r.p.i.)

Merits:

Argued by Victor M. Minjares, deputy district attorney, for petitioner and
by Alex Ricciardulli, deputy public defender, for Real Party in Interest.
Cause submitted.

B155860 Joe Trujillo
 v.
 S.C.L.A.
 Torrance Memorial Home Health & Hospice et al.

Merits:

Argued by Dan Graham for petitioner and by Jeffrey A. Walker for real
party in interest. Cause submitted.

B144596 Raj Prasad
 v.
 Aditya Prasad et al.

Merits:

Argued by Honey Kessler Amando for appellants and by Gary Spritz for
respondent. Cause submitted.

Court recessed 12:48 P.M.

April 10, 2002-Continued

DIVISION FIVE (Continued)

Court reconvened at 1:00 P.M.

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and Jed Belcher, Deputy Clerk.

B149627 Sylvia Loving
 v.
 Cedars Sinai

Appearances:

Sylvia Loving, appellant in propria persona and by Keith N. Lamarra for respondent. Both sides waive argument. Cause submitted.

B146376 Patricia Lettelleir
 v.
 Theodore Lettelleir

Merits:

Argued by Neal C. Tenen for appellant and by Stephen R. McLeod for respondent. Cause submitted.

B152452 Magnatek, Inc.
 v.
 Federal Insurance Co.

Merits:

Argued by Ronald Makarem for appellant and by Michael C. Denlinger for respondent. Cause submitted.

B146883 Pat DeSimone
 v.
 Paula Crilly

Merits:

Argued by Roy G. Weatherup for appellant and by Lloyd S. Mann for respondent. Cause submitted.

Court adjourned at 3:20 P.M.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J. and G. Bents, Deputy Clerk.

B139930 Track Mortgage Group, Inc. v. Crusader Ins. Co.

Argument continued to May, 2002 calendar.

B150900 Rios v. Pulido

Argument waived, cause submitted.

B148305 Banks
v.
Hathaway, Perrett, Webster, Powers & Chrisman

Merits:

Argued by Paul D. Powers for cross-appellant. Argument waived by cross-respondent pursuant to Rule 17(a)(2), Calif. Rules of Court. Cause submitted.

B151744 Suh
v.
Lee

Merits:

Argued by Ezequiel Gutierrez, Jr. for appellant and by Jung Soon Suh, respondent in propria persona. Cause submitted.

DIVISION SIX (Continued)

B145113 Lara
 v.
 The Socaland Group, Inc.

Merits:
Argued by George P. Schiavelli for appellants, by Alan L. Sobel for
respondent The Socaland Group, Inc. and by Craig H. Bell for respondents
Estate of Albert Levinson and Benik Partners. Cause submitted.

Court recessed at 10:15 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B153608 Child Welfare Services v. Daneen S.

Argument continued to May, 2002 calendar.

B151806 Mannix
 v.
 Mannix

Merits:
Argued by Brian M. Moore for appellant. Argument waived by respondent
pursuant to Rule 17(a)(2), Calif. Rules of Court. Cause submitted.

B150541 Woodward
 v.
 Woodward

Merits:
Argued by John Eck for respondent. Argument waived by appellant.
Cause submitted.

DIVISION SIX (Continued)

B153526 Hensley
 v.
 Ritner

Merits:

Argued by Gary Hensley and Wanda Hensley, appellants in propria persona, and by Ruth D. Morrow for respondent. Cause submitted.

B149697 Reed
 v.
 Mummaneni

Merits:

Argued by Karl W. Schoth for appellant and by Michael D. Gonzalez for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B152344 Chang
 v.
 City of Los Angeles

Merits:

Argued by Stephen L. Jones for appellant and by Terry P. Kaufmann Macias, Deputy City Attorney, for respondent. Cause submitted.

Court adjourned at 3:10 P.M.

DIVISION SEVEN

B144265 People
 v.
 Omar Reynoso et al.

Filed order modifying opinion. Garcia's petition for rehearing is denied. Yanez's petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN (Continued)

B147392 Cyrus Sanai
 v.
 Harvey Saltz et al.

Filed order denying petition for rehearing.

DIVISION EIGHT

B141511 People
 v.
 Roman Shishalovsky

Filed order denying petition for rehearing.

B154815 Los Angeles County, D.C.F.S.
 v.
 Rene W.

The Court:

On the Court's own motion, the notice of appeal filed November 21, 2001, is dismissed as untimely filed. (Rule 39 (b), Calif. Rules of Court)

B152624 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Kim N.,
 In re Tyler N., a Person Coming Under the Juvenile Court Law.

Our review of the record reveals that no arguable issues exist. Accordingly, the orders are affirmed. (In re Sade C. (1996) 13 Cal.4th 952.)

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

April 10, 2002-Continued

DIVISION EIGHT (Continued)

B149592 People (Not for Publication)
v.
Clifford R. Walker

The judgment is reversed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B153180 Jeffer, Mangels, Butler, Marmaro (Not for Publication)
v.
Cathryn Morse Reiff

The judgment is affirmed. Jeffer, Mangels, Butler and Marmaro is entitled to recover costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B144965 Randy Ritchotte (Not for Publication)
v.
Moon Nissan

The order of dismissal is reversed and the cause is remanded for further proceedings. Ritchotte is to recover his costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.